

**Exhibit A – 42 CFR § 483.152<sup>1</sup>**

**§ 483.152 Requirements for approval of a nurse aide training and competency evaluation program.**

(a) For a nurse aide training and competency evaluation program to be approved by the State, it must, at a minimum—

- (1) Consist of no less than 75 clock hours of training;
- (2) Include at least the subjects specified in [paragraph \(b\)](#) of this section;
- (3) Include at least 16 hours of supervised practical training. *Supervised practical training* means training in a laboratory or other setting in which the trainee demonstrates knowledge while performing tasks on an individual under the direct supervision of a registered nurse or a licensed practical nurse;
- (4) Ensure that—
  - (i) Students do not perform any services for which they have not trained and been found proficient by the instructor; and
  - (ii) Students who are providing services to residents are under the general supervision of a licensed nurse or a registered nurse;
- (5) Meet the following requirements for instructors who train nurse aides;
  - (i) The training of nurse aides must be performed by or under the general supervision of a registered nurse who possesses a minimum of 2 years of nursing experience, at least 1 year of which must be in the provision of long term care facility services;
  - (ii) Instructors must have completed a course in teaching adults or have experience in teaching adults or supervising nurse aides;
  - (iii) In a facility-based program, the training of nurse aides may be performed under the general supervision of the director of nursing for the facility who is prohibited from performing the actual training; and
  - (iv) Other personnel from the health professions may supplement the instructor, including, but not limited to, registered nurses, licensed practical/vocational nurses, pharmacists, dietitians, social workers, sanitarians, fire safety experts, nursing home

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<sup>1</sup> See <https://www.ecfr.gov/current/title-42/chapter-IV/subchapter-G/part-483/subpart-D/section-483.152> (last visited Dec. 6, 2023).

administrators, gerontologists, psychologists, physical and occupational therapists, activities specialists, speech/language/hearing therapists, and resident rights experts. Supplemental personnel must have at least 1 year of experience in their fields;

(6) Contain competency evaluation procedures specified in [§ 483.154](#).

(b) The curriculum of the nurse aide training program must include—

(1) At least a total of 16 hours of training in the following areas prior to any direct contact with a resident:

- (i) Communication and interpersonal skills;
- (ii) Infection control;
- (iii) Safety/emergency procedures, including the Heimlich maneuver;
- (iv) Promoting residents' independence; and
- (v) Respecting residents' rights.

(2) Basic nursing skills;

- (i) Taking and recording vital signs;
- (ii) Measuring and recording height and weight;
- (iii) Caring for the residents' environment;
- (iv) Recognizing abnormal changes in body functioning and the importance of reporting such changes to a supervisor; and
- (v) Caring for residents when death is imminent.

(3) Personal care skills, including, but not limited to—

- (i) Bathing;
- (ii) Grooming, including mouth care;
- (iii) Dressing;
- (iv) Toileting;
- (v) Assisting with eating and hydration;

- (vi) Proper feeding techniques;
  - (vii) Skin care; and
  - (viii) Transfers, positioning, and turning.
- (4) Mental health and social service needs:
- (i) Modifying aide's behavior in response to residents' behavior;
  - (ii) Awareness of developmental tasks associated with the aging process;
  - (iii) How to respond to resident behavior;
  - (iv) Allowing the resident to make personal choices, providing and reinforcing other behavior consistent with the resident's dignity; and
  - (v) Using the resident's family as a source of emotional support.
- (5) Care of cognitively impaired residents:
- (i) Techniques for addressing the unique needs and behaviors of individual with dementia (Alzheimer's and others);
  - (ii) Communicating with cognitively impaired residents;
  - (iii) Understanding the behavior of cognitively impaired residents;
  - (iv) Appropriate responses to the behavior of cognitively impaired residents; and
  - (v) Methods of reducing the effects of cognitive impairments.
- (6) Basic restorative services:
- (i) Training the resident in self care according to the resident's abilities;
  - (ii) Use of assistive devices in transferring, ambulation, eating, and dressing;
  - (iii) Maintenance of range of motion;
  - (iv) Proper turning and positioning in bed and chair;
  - (v) Bowel and bladder training; and
  - (vi) Care and use of prosthetic and orthotic devices.

(7) Residents' Rights.

- (i) Providing privacy and maintenance of confidentiality;
- (ii) Promoting the residents' right to make personal choices to accommodate their needs;
- (iii) Giving assistance in resolving grievances and disputes;
- (iv) Providing needed assistance in getting to and participating in resident and family groups and other activities;
- (v) Maintaining care and security of residents' personal possessions;
- (vi) Promoting the resident's right to be free from abuse, mistreatment, and neglect and the need to report any instances of such treatment to appropriate facility staff;
- (vii) Avoiding the need for restraints in accordance with current professional standards.

(c) Prohibition of charges.

- (1) No nurse aide who is employed by, or who has received an offer of employment from, a facility on the date on which the aide begins a nurse aide training and competency evaluation program may be charged for any portion of the program (including any fees for textbooks or other required course materials).
- (2) If an individual who is not employed, or does not have an offer to be employed, as a nurse aide becomes employed by, or receives an offer of employment from, a facility not later than 12 months after completing a nurse aide training and competency evaluation program, the State must provide for the reimbursement of costs incurred in completing the program on a pro rata basis during the period in which the individual is employed as a nurse aide.